

REMARKS

Claims 1-6, 8-9, 11-15, 17-21, 23-35, 37, 42-46, and 48 are currently pending in the application. Of these claims, claims 1, 12, 18, 23, 32, 35, and 42 are independent.

Consideration of Prior IDS

Applicant previously mailed an Information Disclosure Statement on December 7, 2001. Applicant, however, has not yet received an initialed copy of the PTO/SB/08A form indicating the documents listed on that form have been considered. Applicant respectfully requests consideration of such documents and the return of an initialed copy of the PTO/SB/08A form.

Prior Art Rejections

Claims 1, 4, 11, 23-26, and 28 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,386,546 to Hamaguchi ("Hamaguchi"). This rejection also appears to apply to claims 32, 34-35, and 38.

Claims 2, 3, 27, and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,619,675 to De Martine et al. ("De Martine") in view of Hamaguchi.

Claims 5, 8-10, 12-14, 17-20, 29, 31, 37, 40-45, and 47-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamaguchi in view of U.S. Patent Application Publication No. 2003/0023922 A1 to Davis et al. ("Davis").

Claims 6, 15, 21, and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over De Martine in view of Hamaguchi and Davis.

Claim 46 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,157,981 to Blaner et al. ("Blaner") in view of U.S. Patent No. 5,444,651 to Yamamoto et al. ("Yamamoto").

Applicant respectfully traverses these rejections as follows.

Claims 10, 38, 40-41, and 47 have been canceled without prejudice or disclaimer.

Accordingly, the rejection of these claims is no longer applicable.

Independent claim 1 recites setting a usage bit during a writeback cycle to write read data back to a memory, the usage bit indicating usage information for the read data.

Independent claim 12 recites a usage bit for data read from a memory is updated during a writeback cycle to write the read data back to the memory.

Independent claim 18 recites a memory controller to update a usage bit for data read from a memory during a writeback cycle to write the read data back to the memory.

Independent claim 23 recites updating usage information for data read from a memory during a writeback cycle to write the read data back to the memory.

Independent claim 32 recites a group of instructions to set a usage bit during a writeback cycle to write read data back to a memory, the usage bit indicating usage information for the read data.

Independent claim 35 recites a group of computer instructions to update usage information for data read from a memory during a writeback cycle to write the read data back to the memory.

Independent claim 42 recites usage information is updated during a writeback cycle to rewrite data destroyed during a read process back to a non-volatile destructive read memory.

Applicant respectfully submits none of the references cited in the rejections, whether alone or in any combination with one another, taught or suggested such features as claimed. More particularly, the write back technique taught in Hamaguchi, with reference to Figure 4, pertains to data being written from cache memory 412, for example, to main memory 40. Applicant respectfully submits Hamaguchi did not teach or suggest any writeback cycle to write data read from cache memory 412, for example, back to cache memory 412.

Noting the remaining rejected claims depend from independent claim 1, 12, 18, 23, 32, 35, or 42, Applicant therefore respectfully submits these rejections have been overcome and should accordingly be withdrawn.

Note that there may be additional reasons for the patentability of claims. For example, there may be additional reasons why the dependent claims are patentable.

It is respectfully submitted this patent application is in condition for allowance, for which early action is earnestly solicited.

The Examiner is invited to telephone the undersigned to help expedite the prosecution of this patent application.

Respectfully submitted,

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